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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6961**
Kenji TAGAWA et al. : Docket No. 99_1229A
Serial No. 09/436,656 : Group Art Unit 3627
Filed November 9, 1999 : Examiner G. J. O'Connor

DATA CONVERSION APPARATUS AND
METHOD IN COPYRIGHT PROTECTING
SYSTEM

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on July 15, 2004.

REMARKS

Applicants thank the Examiner for the courtesies extended to Applicants' representative during the personal interview conducted on July 15, 2004. During the interview, the Examiner and Applicants' representative discussed the claim rejections under 35 U.S.C. 102(e) based on Imai et al. (U.S. 5,870,467).

During the interview, Applicants' representative took the position that Imai fails to disclose or suggest all of the features recited in the claimed invention. In particular, Applicants' representative asserted that Imai is not inherently capable of performing the functional language recited in the claimed invention.

The Examiner acknowledged that in order for a prior art reference to anticipate a claim which recites functional language, that the prior art reference must inherently be capable of performing the claimed function. The Examiner indicated that he would review the Imai reference in greater detail to determine whether Imai discloses structure that is inherently capable of performing the functional language recited in the claims.

Respectfully submitted,

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